

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 NEA-10 IO-13 ADP-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-15 USIA-15 CAB-09 COME-00 FAA-00 SR-02

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FM AMEMBASSY ROME

TO SECSTATE WASHDC 463

INFO AMEMBASSY BEIRUT

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USMISSION USUN NEW YORK

C O N F I D E N T I A L ROME 8811

E.O. 11652: GDS

TAGS: PINS, ETRN, PFOR

SUBJECT: CIVAIR: ROME ICAO ASSEMBLY/CONFERENCE -- SOVIET

POSITION

FROM AMBASSADOR ROUNTREE

SUMMARY: AT PRIVATE MEETING AUGUST 27 ITH ALTERNATIVE
HEAD OF USDEL (AND USDEL MEMBER) SOVIET COUNTERPART, P.N.
YEVSEYEV, OFFERED SIGNIFICANTLY MODIFIED SOVIET PROPOSAL, AND
PROVIDED SOVIET VIEWS ON OTHER ITEM BEFORE ASSEMBLY/
CONFERENCE AND SOVIET APPROACH TO ISRAELI MATTER. END
SUMMARY.

1. AT PRIVATE MEETING ARRANGED AT US REQUEST,
ALTERNATE HEAD OF SOVIET DELEGATION P.N. YEVSEYEV AND
SOVDEL MEMBER PROVIDED HUFFMAN AND GAITHER WITH NEW SOVIET
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PROPOSAL. UNDER NEW PROPOSAL FOR PROTOCOL TO HAGUE
AND MONTREAL CONVENTIONS WHICH ROUGHLY TRANSLATED FROM

RUSSIAN, WOULD BE AS FOLLOWS:

(A) ARTICLE 2 OF SOVIET PROPOSAL (CAS DOC. NO. 5)
IS DELETED.

(B) ARTICLE 1 WOULD DELETE NOT REPEAT NOT ARTICLE 4
BUT AMEND PARA 2 OF ART. 8 OF HAGUE BY ADDING FOLLOWING
AS FIRST SENTENCE: QTE THE CONTRACTING STATES ADOPT AN
OBLIGATION TO EXTRADITE PERSONS GUILTY OF HAVING
COMMITTED OFFENSES MENTIONED IN ARTICLE I TO THE
STATE OF REGISTRY OF THE AIRCRAFT OR TO THE STATE MEN-
TIONED IN ART. 5 OF THE CONVENTION, EXCLUDING PERSONS
WHICH ARE NATIONALS OF THE STATE ON WHOSE TERRITORY THE
OFFENDER IS FOUND. UNQTE

(C) PRESENT FIRST SENTENCE OF PARA 2 OF ART. 8
WOULD BE AMENDED TO READ, QTE IF A CONTRACTING STATE
WHICH MAKES EXTRADITION CONDITIONAL ON EXISTENCE OF A
TREATY RECEIVES A REQUEST FOR EXTRADITION FROM ANOTHER
CONTRACTING STATE WITH WHICH IT HAS NO EXTRADITION
TREATY, IT (BEGIN UNDERLINE) SHALL (END UNDERLINE)
CONSIDER THIS CONVENTION AS THE LEGAL BASIS FOR EXTRADITION
IN RESPECT OF THE OFFENCE. UNQTE. DEPT WILL NOTE CHANGE
IS TO SUBSTITUTE QTE SHALL UNQTE FOR QTE MAY AT ITS
OPTION UNQTE.

(D) LAST SENTENCE OF PARA 2 ART 8 REMAINS UNCHANGED.
2. SOVIETS POINTED OUT THAT THEIR PROPOSAL WOULD
NOW INCLUDE POLITICAL OFFENSES AND COVER UN PROTOCOL ON
STATUS OF REFUGEES BY VIRTUE OF THE FINAL SENTENCE OF
PARA 2 MAKING EXTRADITION SUBJECT TO THE QTE LAW OF THE
REQUESTED STATE UNQTE.

3. SOVIETS NOTED THEIR PROPOSAL IS IDENTICAL TO
THAT WHICH DRAFTED AT HAGUE AND WHICH PASSED COMMITTEE
OF WHOLE (SINGLE MAJORITY VOTE) BUT FAILED IN CONFERENCE
(TWO THIRDS VOTE). THEY STRESSED PROPOSAL HAD BEEN
SUPPORTED BY U.S. WHICH VOTED FOR PROPOSAL.

4. RE ISRAELI ISSUE, SOVIETS STATED THAT THEY WOULD FIND
IT DIFFICULT NOT TO SUPPORT ANY ACTION PROPOSED BY THE ARABS
AGAINST ISRAEL. HUFFMAN NOTED SOVIET TRADITIONAL LEGAL
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POSTION THAT SECURITY COUNCIL WAS EXCLUSIVE REPOSITORY
OF POWER TO IMPOSE SANCTIONS ON STATES. SOVIETS
REPEATED FIRST STATEMENT.

5. SOVIETS STATED THEY WILL SUPPORT NORDIC PROPOSAL
FOR INDENPENTENT CONVENTION. THEY INDICATED CONCERN BUT
SOME FLEXIBILITY OVER COMMISSION OF EXPERTS. CONCERN
WAS OVER METHOD OF SELECTION. THEY IMPLIED THAT THEY
MIGHT ACCEPT AN AUTOMATIC MECHANISM TO COMMENCE AN
INVESTIGATION (I.E., THE CONVENTION WOULD REQUIRE THE

COMMISSION TO ACT UPON REQUEST WITHOUT AWAITING COUNCIL ACTION) THEY INDICATED A STRONG PREFERENCE THAT THE COMMISSION SHOULD REPORT TO THE COUNCIL WHICH SHOULD BE THE BODY TO TAKE ACTION ON THE BASIS OF THE COMMISSION'S REPORT.

8. SOVIETS STATED THEY WOULD NOT SUPPORT ANY AMENDMENT TO CHICAGO AND WOULD INFORM FRENCH THAT THEY COULD NOT SUPPORT BUT WOULD NOT ACTIVELY OPPOSE.

7. RE UK/FRENCH/SWISS PROPOSAL FOR AMENDMENT TO RULE 20 OF CONFERENCE (TO IMPOSE ASSEMBLY VOTING RULE ON CONFERENCE), SOVIETS INDICATED STRONG OPPOSITION AND A DESIRE THAT THE MATTER BE BROUGHT TO AN EARLY VOTE AND BE DISPOSED OF.
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